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 CHIEF EDWARD FLORES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 5/24/06

SAN JOSE DIVISION

MAI THI VU

) Case No. C 05 -02605 RMW
)
 Plaintiff,)

v.

) **STIPULATION AND ORDER TO**
) **REMOVE CASE FROM ENE CALENDAR**
) **AND SET MEDIATION FOR 120 DAYS**

GILLMORE CLARK, COUNTY OF SANTA)
 CLARA, ED FLORES, DOES 1-50.)

Defendants.)

BACKGROUND

The parties agree that an ENE will not move the parties closer to an informal resolution of this matter and respectfully request that this Court take this matter off the ENE calendar and set a date for mediation in four months. No purpose will be served by requiring the parties to attend an ENE. Defendants obtained two court-ordered enlargements of time to complete the ENE. Plaintiff initiated the latest cancellation to obtain key documents from the Department of Corrections' investigation into plaintiff's allegations of sexual assault by Defendant CLARK. The ADR office of this Court has been notified of the situation.

The parties have agreed to meet and confer regarding outstanding document requests and if necessary, will appear before this Court for a status update, though neither party believes that will be the best use of their time or this Court's time.

For the foregoing reasons, and for good cause shown, the parties mutually request that this matter be taken off the ENE calendar and be set for mediation in four months.

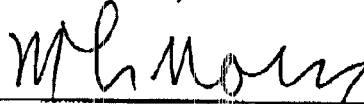
DATED: 5/16/2006

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COUNTY AND ED FLORES

ORDER

Good cause having been shown, this matter is hereby removed from the ENE calendar.

The parties will mediate this matter by September 18, 2006. No further extensions.

IT IS SO ORDERED.

DATED: 5/24/06

/s/ Ronald M. Whyte

RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE